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Attorneys for Defendants  
15 UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

19 WAYMO LLC,  
20  
21 Plaintiff,  
22 v.  
23 UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,  
24 Defendant.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF  
ELIZABETH BALASSONE IN  
SUPPORT OF UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S RESPONSE TO  
WAYMO LLC'S SUPPLEMENTAL  
BRIEF FOR MOTION FOR ORDER  
TO SHOW CAUSE WHY  
DEFENDANTS SHOULD NOT BE  
HELD IN CONTEMPT OF THE  
PRELIMINARY INJUNCTION ORDER  
(DKT. 426) AND EXPEDITED  
DISCOVERY ORDER (DKT. 61)**

1 I, Elizabeth Balassone, declare as follows:

2 1. I am an attorney with the law firm of Morrison & Foerster LLP. I am a member in  
3 good standing of the Bar of the State of California. I make this declaration based on personal  
4 knowledge and, if called as a witness, I could and would testify competently to the matters set  
5 forth herein. I make this declaration in support of Defendants Uber Technologies, Inc. and  
6 Ottomotto LLC's Response to Waymo LLC's Supplemental Brief for Motion for Order to Show  
7 Cause Why Defendants Should Not Be Held in Contempt of the Preliminary Injunction Order  
8 (Dkt. 426) and Expedited Discovery Order (Dkt. 61).

9 2. With respect to the files (comprising a subset of the Stroz database) that were  
10 located at MoFo, they are almost all photos and videos. They do not include the 14,000 files.

11 3. Those files were made available to Waymo for inspection on September 14, 2017.

12 4. With respect to the January 3, 2016 white-board session, Mr. Kalanick and  
13 Mr. Holden did not remember this meeting and they did not have calendar entries for it that could  
14 have been used to refresh their memories.

15 5. The parties' agreed search scope did not include the notes because it did not  
16 include Google Docs from Messrs. Kalanick or Holden.

17 6. Attached as Exhibit 1 is a true and correct copy of an August 23, 2017 email from  
18 Andrea Roberts.

19 7. Attached as Exhibit 2 is a true and correct copy of transcript excerpts from the July  
20 20, 2017 deposition of Ognen Stojanovski.

21  
22 I declare under penalty of perjury under the laws of the United States that the foregoing is  
23 true and correct. Executed this 15th day of September, 2017, in San Francisco, California.

24  
25 /s/ Elizabeth Balassone

26 ELIZABETH BALASSONE  
27  
28

**ATTESTATION OF E-FILED SIGNATURE**

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Elizabeth Balassone has concurred in this filing.

Dated: September 15, 2017

/s/ Arturo J. González  
Arturo J. González

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